

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

MATHEW BEARD,
Plaintiff(s),

v.
NEVADA DEPT. OF CORRECTIONS, et
al.,
Defendant(s).

Case No. 2:23-cv-01060-GMN-NJK

Order

[Docket No. 25]

Pending before the Court is Plaintiff's notification letter, Docket No. 25, which the Court construes as a motion for reconsideration.

15 A motion for reconsideration may be granted if the Court previously committed clear error.
16 Local Rule 59-1(a).

17 Plaintiff argues that the Court erred in striking a prior discovery-related notice because it
18 was meant to signify conferral efforts about a dispute regarding the attached discovery. *See* Docket
19 No. 25 at 1. Plaintiff is advised that conferral efforts must take place between himself and
20 opposing counsel. The Court is not involved in those efforts. Plaintiff is also advised that the
21 Court does not need to be notified of those efforts unless a motion to compel (or other discovery
22 motion) is filed. The discovery motion itself must include a certification of the meet-and-confer.
23 *See, e.g.*, Docket No. 22 at 3 (explaining that “motions to compel must include a certification that
24 the movant has in good faith conferred . . .” (internal quotations omitted)). A notice does not need
25 to be filed separately in anticipation of the potential filing of a discovery motion in the future.

26 In short, Plaintiff must send conferral correspondence directly to opposing counsel and
27 must not file that correspondence with the Court unless and until a discovery motion is filed. As
28 no discovery motion has been filed, it remains correct that the prior notice was filed in error even

1 if construed as a notice of conferral efforts. Accordingly, the Court **DENIES** Plaintiff's motion
2 for reconsideration the striking of his earlier filing.

3 IT IS SO ORDERED.

4 Dated: February 4, 2025

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6 Nancy J. Koppe
7 United States Magistrate Judge

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